

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

JAMES KUCZMASKI, ADAM PIKE, )  
RYAN PHILLIPS, JOSH STONE, )  
SUHANE LOWERY, KEVTN BELL, and )  
HAMP CRUM, III, individually and on )  
behalf of all other persons similarly )  
situated, )  
Plaintiffs, ) Civil Action No. 2:06-cv-731  
v. )  
US FOODSERVICE, )  
Defendant. )

**MOTION TO WITHDRAW**

Constangy, Brooks & Smith, LLC needs to withdraw as counsel of record for defendant in the above-entitled action. Tammy L. Baker, formerly of Constangy, Brooks & Smith, LLC, has joined the law firm of Jackson Lewis LLP and defendant has elected to retain that firm to represent it further in this matter.

Respectfully submitted,

/s/ Tamula R. Yelling

Tamula R. Yelling, ASB-9447-E61T

E-Mail: [tyelling@constangy.com](mailto:tyelling@constangy.com)

Direct Dial: 205-226-5471

**CONSTANGY, BROOKS & SMITH, LLC**

One Federal Place, Suite 900

1819 Fifth Avenue North

Birmingham, Alabama 35203

Facsimile: 205-323-7674

**CERTIFICATE OF SERVICE**

I hereby certify that on May 30, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Gregory O. Wiggins, Esq.  
WIGGINS, CHILDS, QUINN & PANTAZIS, LLC  
The Kress Building  
301 19th Street North  
Birmingham, Alabama 35203

Tucker F. Burge, Esq.  
BURGE & BURGE  
850 Park Place Tower  
2001 Park Place North  
Birmingham, Alabama 35203

/s/ *Tamula R. Yelling*  
Counsel of Record